

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

VALUE DRUG COMPANY	:	CIVIL ACTION
	:	
v.	:	NO. 21-3500
	:	
TAKEDA PHARMACEUTICALS,	:	
U.S.A., INC., <i>et al.</i>	:	

ORDER

AND NOW, this 28th day of August 2023, upon considering non-party Francis DiGiovanni, Esquire's Motion to quash a trial subpoena (ECF No. 1050), Plaintiffs' timely Opposition (ECF No. 1063), following today's conference with counsel (ECF No. 1068), and finding no basis to quash the trial subpoena relying on Plaintiffs' counsels' repeated representations they will not seek attorney-client communications or work product and will inquire on the witness's confirmed representations to another federal court to the extent they involve the alleged combination at issue, subject to Takeda's examination as to the witness's apparent authority in making representations in court, and mindful we will not allow argumentative or improper impeachment questions based on undisputed calendar entries better suited for stipulated facts or closings, it is **ORDERED** non-party Francis DiGiovanni, Esquire's Motion to quash a trial subpoena (ECF No. 1050) is **DENIED**.



KEARNEY, J.